

**AMENDMENT TO THE CLAIMS**

This Listing of Claims will replace all prior versions, and listing of claims in the application.

**LISTING OF CLAIMS:**

Claims 1 - 7 (cancelled).

Claim 8 (original) A method of determining which frames to skip in a video sequence, the method comprising: receiving a first frame rate goal; selecting a first potential frame to be skipped, the first potential frame between a first frame and a last frame in a video sequence scene; calculating a first cost value for the first potential frame to be skipped, the first cost value related to the visual impact that would result from skipping the first potential frame; storing the first cost value in computer readable memory; selecting a second potential frame to be skipped, the second potential frame between the first frame and the last frame; calculating a second cost value for the second potential frame to be skipped; storing the second cost value in computer readable memory; selecting a third potential frame to be skipped, the third potential frame between the first frame and the last frame; calculating a third cost value for the third potential frame to be skipped; storing the third cost value in computer readable memory; determining which one of the first, second, and third cost values has the least cost; skipping the one of the one of the

first, second, and third potential frames corresponding to the least cost value;  
determining if the first frame rate goal is met; and at least partly in response to  
determining the first frame rate goal is not met, recalculating cost values  
associated with frames remaining from the first, second and third potential frames,  
and skipping the one of the remaining frames having the least recalculated cost  
value.

Claim 9 (original) The method as defined in claim 8, wherein the first cost  
value is based at least in part on a mean average difference (MAD) value and a  
time difference between the first frame and the second potential frame to be  
skipped.

Claim 10 (original) The method as defined in claim 9, wherein only a  
portion of pixels in the first frame and the second potential frame to be skipped are  
evaluated in determining the MAD value.

Claim 11 (original) The method as defined in claim 9, wherein the time  
difference is normalized to an NTSC frame rate.

Claim 12 (original) The method as defined in claim 8, wherein the number of frames that are allowed to be consecutively skipped is limited to a first number.

Claim 13 (original) The method as defined in claim 8, further comprising providing a header for each skipped frame.

Claim 14 (original) The method as defined in claim 8, further comprising transmitting a Header Extension Code (HEC), including sequence information, in every packet in a sequence of video packets.

Claim 15 (original) A method of selecting image frames to be skipped during an encoding process, the method comprising: receiving a sequence of frames including a first frame; calculating a first cost function value for the first frame, wherein the cost function includes a first temporal parameter related to a time difference and luminosity differences between frames bounding the first frame; calculating a second cost function value for a second frame, wherein the cost function includes a second temporal parameter related to a time difference between frames and luminosity differences bounding the second frame; and selecting for skipping one of the first frame and the second frame based at least in part on the first cost function value and the second cost function value.

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Claim 16 (original) The method as defined in claim 15, further comprising:  
receiving a target frame rate; and determining if the target frame rate is met with  
one of the first frame and the second frame being skipped.

Claim 17 (original) The method as defined in claim 15, wherein the  
luminosity differences between frames bounding the first frame are defined using  
a mean of average difference function.

Claim 18 (original) The method as defined in claim 15, further comprising  
limiting to a first amount how many consecutive frames can be skipped.

Claim 19 (original) The method as defined in claim 15, wherein the first  
temporal parameter is normalized to a first frame rate.

Claims 20-25 (cancelled).